

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

CHRISTOPHER HADSELL,
Plaintiff,

v.

UNITED STATES OF AMERICA, THE
DEPARTMENT OF TREASURY BY ITS
AGENCY, THE INTERNAL REVENUE
SERVICE,

Defendant.

Case No. 20-cv-03512-VKD

**ORDER DENYING PLAINTIFF'S
MOTION TO ALTER, AMEND, OR
VACATE THE COURT'S NOVEMBER
9, 2021 ORDER**

Re: Dkt. No. 60

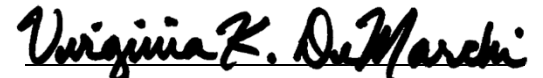
Mr. Hadsell moves to alter, amend, or vacate the Court's November 9, 2021 order (Dkt. No. 56) denying his motion for summary judgment (Dkt. No. 41). Mr. Hadsell brings his motion pursuant to Rule 59(e). However, Rule 59(e) governs motions to alter or amend a judgment, and no judgment has been entered in this case. The Court previously informed Mr. Hadsell that a Rule 59 motion is not the appropriate vehicle for seeking reconsideration of a pre-judgment order. *See* Dkt. No. 26. Parties seeking reconsideration must comply with Civil Local Rule 7-9. Accordingly, his motion is denied.

If Mr. Hadsell believes he has grounds for reconsideration of the Court's order denying his motion for summary judgment, Mr. Hadsell may file a motion for leave to file a motion for reconsideration that complies with Civil Local Rule 7-9. *See* Civil L.R. 7-9(b) (describing showing that must be made in support of motion for leave). "No motion for leave to file a motion for reconsideration may repeat any oral or written argument made by the applying party in support of or in opposition to the interlocutory order which the party now seeks to have reconsidered." Civil L.R. 7-9(c). "Any party who violates this restriction shall be subject to appropriate

sanctions.” *Id.* Unless otherwise ordered by the Court, “no response need be filed and no hearing will be held concerning a motion for leave to file a motion to reconsider.” Civil L.R. 7-9(d).

IT IS SO ORDERED.

Dated: December 2, 2021


VIRGINIA K. DEMARCHI
United States Magistrate Judge

United States District Court
Northern District of California